

1 DANIEL J. BERGESON, Bar No. 105439
2 dbergeson@be-law.com
3 JOHN W. FOWLER, Bar No. 037463
4 jfowler@be-law.com
5 MELINDA M. MORTON, Bar No. 209373
6 mmorton@be-law.com
7 BERGESON, LLP
8 303 Almaden Boulevard, Suite 500
9 San Jose, CA 95110-2712
10 Telephone: (408) 291-6200
11 Facsimile: (408) 297-6000

12 Attorneys for Plaintiff
13 VERIGY US, INC.

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA

16 VERIGY US, INC, a Delaware Corporation

17 Plaintiff,

18 vs.

19 ROMI OMAR MAYDER, an individual;
20 WESLEY MAYDER, an individual; SILICON
21 TEST SYSTEMS, INC., a California Corporation;
22 and SILICON TEST SOLUTIONS, LLC, a
23 California Limited Liability Corporation,
24 inclusive,

25 Defendants.

Case No. C07 04330 RMW (HRL)

**DECLARATION OF MELINDA M.
MORTON IN SUPPORT OF PLAINTIFF'S
ADMINISTRATIVE MOTION FOR
LEAVE TO FILE DOCUMENTS UNDER
SEAL**

Judge: Honorable Ronald M. Whyte
Ctrm: 6

Complaint Filed: August 22, 2007
Trial Date: None Set

1 I, Melinda M. Morton, declare as follows:

2 1. I am an attorney licensed to practice law before all of the courts of the State of
3 California. I am an associate with the law firm of Bergeson, LLP, counsel of record for Plaintiff
4 Verigy US, Inc. ("Verigy" or "Plaintiff") in the above-captioned action. I have personal
5 knowledge of the facts set forth in this declaration, and, if called to do so, I could and would
6 competently testify thereto.

7 2. I submit this declaration in support of Verigy's Administrative Motion for Leave to
8 File Documents Under Seal.

9 3. I have reviewed Exhibit A to Verigy's Amended Proposed Order Granting Plaintiff
10 Verigy Us, Inc.'s Application for Temporary Restraining Order, Order to Show Cause re:
11 Preliminary Injunction, and an Order Authorizing Expedited Discovery (the "Materials").

12 4. I have determined that the Materials disclose information that has been designated
13 as "Confidential" by Verigy because it contains confidential, proprietary and trade secret
14 information relating to Verigy's design specifications, technical procurement processes; research
15 regarding customer device requirements; block diagrams; product development and strategic
16 plans, product strategy; forecasted business demand; actual product consumption; business
17 processes and tools; product technology roadmaps; product features and performance; product
18 architecture; product development schedules; qualification processes and results; contract
19 manufacturer agreements and business relationship; inventions; provisional patent applications;
20 and future manufacturing strategies (collectively, the "Trade Secrets").

21 5. The confidentiality interest of the parties therefore overcomes the right of public
22 access to the record, as a substantial probability exists that the parties' overriding confidentiality
23 interest will be prejudiced if the record is not sealed. Further, the proposed sealing is narrowly
24 tailored and no less restrictive means exist to achieve this overriding interest.

25 //

26 //

27

28

1 I declare under penalty of perjury under the laws of the United States of America that the
2 foregoing is true and correct and that this declaration was executed this 23rd day of August, 2007
3 at San Jose, California.
4

5 _____/s/
6 Melinda M. Morton
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28